

Amendments to the Drawings:

Attached are replacement sheets of drawings.

In Fig. 1.2, the reference numeral "30" has been added.

In Fig. 3.2, the reference numeral "40" has been added.

In Fig. 6.1, the reference numeral "30" has been added.

REMARKS/ARGUMENTS

Reconsideration of this application in light of the above amendments and following comments is courteously solicited.

Applicant has filed an RCE and a petition to suspend action.

Applicant conducted a personal interview with Examiners Badawala and Tucker on June 29, 2009. During the above-noted personal interview, the outstanding Office action was discussed in detail. Agreement was reached as to how to amend the claims so as to overcome all the rejections under 35 U.S.C. 112, both first and second paragraphs. In addition, it was agreed as to how to amend the drawings so as to comply with the Examiner's requirements. Finally, it was agreed that the claims as amended to overcome the Examiner's rejections under 35 U.S.C. 112, both first and second paragraphs, defined over the cited and applied prior art of record.

The drawings have been amended so as to overcome the Examiner's objection raised on page 2, paragraph 2 of her Office action. With regard to the objection to the specification raised on page 2, paragraph 1 of the Office action, Applicant submits that there is proper antecedent basis in the specification for the phrase "temperature-controlled ram". Support for this structural limitation can be found, for example, in paragraphs [0001] and [0028] of the substitute specification filed with the instant application. Be that as it may, Applicant has amended the claims to delete this phrase in favor of the phrase "water-cooled".

Claims 25-28 have been amended as agreed to at the above-noted personal interview so as to overcome all the rejections raised by the Examiner in paragraphs 3-19 of her Office action. It is respectfully submitted that all of the claims as pending now comply with the formal requirements of 35 U.S.C. 112, both first and second paragraphs.

With regard to the prior art rejections, as noted in the interview summary record, it was agreed that the claims defined over the cited and applied prior art. For the sake of completeness, Applicant will discuss each of the cited prior art references hereinbelow.

With regard to EP 0 945 069 by Aasted, it was pointed out at the oral hearing that the Aasted reference does not show an axial bore nor does it show a displacement ram movably mounted within the axial bore of the water-cooled ram. The Examiner had referred to Fig. 13. Fig. 13 does not show the structure claimed in independent claim 25. It was agreed that claim 25 was patentable over the teachings of the EP '069.

With regard to independent claim 26 and the cited Knobel reference, it was initially pointed out that the inventor of the instant application is the same inventor in that cited reference. It was pointed out at the personal interview that the Knobel reference does not meet the limitations of the third from the last and last paragraphs of claim 26 which requires that the tube communicate with the mold and that the gas pressure communicates through the tube and into the mold. It was agreed that claim 26 defined over the cited prior art to Knobel WO 98/52425.

Claim 26 was rejected as being anticipated by Barger et al., U.S. Patent 3,171,731. This reference is defective for the same reasons set forth above. Barger et al. does not communicate a gas into the mold.

Independent claims 27 and 28 use the Barger et al. reference as the primary reference. The Barger et al. reference is defective for the same reasons pointed out above. In addition to the foregoing, it was pointed out that in the opinion of the undersigned, the Austin '207 and Young '107 documents are non-analogous prior art. The Austin patent deals with a mold for a

food wherein the mold is inverted and a button is pressed to eject the food from the mold onto a plate. The Young '107 patent deals with a press for making hamburger patties. It is clearly submitted that this is non-analogous prior art.

For the reasons set forth above, and based on the agreement reached at the above-noted personal interview, it is submitted that all of the claims as pending patentably define over all of the art of record and the early issuance of a formal notice of allowance is respectfully requested.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

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